

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

MARIA MOELLER and RON
MOELLER,

Plaintiffs,

v.

THE ALIERA COMPANIES, INC.,
TRINITY HEALTHSHARE,
TIMOTHY MOSES, SHELLEY
STEELE, CHASE MOSES, and DOES
1-10,

Defendants.

CV 20-22-H-BMM-KLD

ORDER

United States Magistrate Judge Kathleen DeSoto entered Findings and Recommendation in this matter on January 29, 2024. (Doc. 262.)

When a party makes no objections, the Court need not review de novo the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153- 52 (1986). This Court will review Judge DeSoto's Findings and

Recommendation, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

All proceedings in the case have been stayed from July 2021 due to bankruptcy proceedings filed by Defendants The Alieria Companies, Inc., (“Alieria”) and Sharity Ministries, Inc., formerly Trinity Healthshare, Inc., (“Sharity”) in the United States Bankruptcy Court for the District of Delaware. (Doc. 244.) The Delaware Bankruptcy Court issued an Order confirming the Bankruptcy Plan filed by Sharity on December 2, 2021. *In re Sharity Ministries, Inc.*, Case No. 21-11001-TMH, Docs. 264, 299, 343 (Bankr. D. Del.). The Delaware Bankruptcy Court issued an Order confirming the Bankruptcy Plan filed by Alieria on August 17, 2023. *In re The Alieria Companies, Inc.*, Case No. 21-11548-TMH, Docs. 566, 576 (Bankr. D. Del.). Judge DeSoto conducted a Zoom status conference with all attorneys of record in the matter on January 29, 2024 during which the Court conferred with the parties as to the appropriate next steps in the litigation. (Doc. 259.) Judge DeSoto recommends Alieria and Sharity be dismissed as parties from the action in light of the confirmation Orders in *In re Sharity Ministries, Inc.* and *In re The Alieria Companies, Inc.*. (Doc. 262.) The Court finds no clear error in Judge DeSoto’s Findings and Recommendation.

Accordingly, **IT IS ORDERED** that Judge DeSoto’s Findings and Recommendation (Doc. 262) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant The Alera Companies, Inc., and Defendant Sharity Ministries, Inc., formerly Trinity Healthshare, Inc., are **DISMISSED** as parties to this action.

DATED this 21st day of February, 2024.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court